

DAVIS WRIGHT TREMAINE LLP

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15 Attorneys for Defendants  
16 COUNCIL ON AMERICAN-ISLAMIC  
17 RELATIONS, INC., COUNCIL ON AMERICAN  
18 ISLAMIC RELATIONS ACTION NETWORK, INC.,  
19 AND COUNCIL ON AMERICAN ISLAMIC  
20 RELATIONS OF SANTA CLARA, INC.

21 IN THE UNITED STATES DISTRICT COURT  
22 THE NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

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17 MICHAEL SAVAGE, ) Case No. CV07-06076 SI  
18 Plaintiff, )  
19 v. )  
20 COUNCIL ON AMERICAN-ISLAMIC )  
21 RELATIONS, INC., COUNCIL ON )  
22 AMERICAN ISLAMIC RELATIONS )  
23 ACTION NETWORK, INC., COUNCIL ON )  
24 AMERICAN ISLAMIC RELATIONS OF )  
25 SANTA CLARA, INC., and DOES 3-100, )  
26 Defendants. )  
27 )  
28 )

DAVIS WRIGHT TREMAINE LLP

1 I, Thomas R. Burke, declare as follows:

2 1. I am an attorney and a partner with Davis Wright Tremaine LLP, and lead counsel  
3 for Defendants Council on American-Islamic Relations, Inc., Council on American-Islamic  
4 Relations Action Network, Inc., and Council on American-Islamic Relations of Santa Clara, Inc.,  
5 collectively (collectively "CAIR") in this action. I make the statements in this supplemental  
6 declaration of my personal knowledge and could competently testify to them if called as a witness.

7 2. After being retained by CAIR in December of 2007, I dutifully informed my client  
8 of each and every communication I received from Mr. Savage's counsel. Throughout this  
9 representation, I never once received any "settlement" communications that in any way reflected a  
10 sincere effort by Mr. Savage to voluntarily agree to a complete dismissal of this action, with  
11 prejudice, and a full reimbursement of CAIR's legal expenses.

12 3. I billed a total of 11.20 hours in connection with work that was necessary to  
13 prepare CAIR's Reply and supporting papers, including a complete review of Plaintiff's  
14 voluminous Opposition and supporting documents. This time consisted of 3.70 hours on Friday,  
15 October 24, 2008, to review and analyze Plaintiff's Opposition and all supporting papers and  
16 outline strategy in support of CAIR's Reply; 1.30 hours on Monday, October 27, 2008, to further  
17 review key portions of Plaintiff's Opposition and to confer with co-counsel and CAIR's  
18 representative about the Reply approach; 3.10 hours on Wednesday, October 29, 2008, to review  
19 and edit the draft Reply memorandum; 2.70 hours on Thursday, October 30, 2008, to further edit  
20 the Reply memorandum and supporting documentation, confer with co-counsel on strategy issues  
21 regarding arguments in the Reply and to prepare this supporting declaration; and 1.00 hour on  
22 Friday, October 31, 2008 to finalize the Reply and supporting papers.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is  
24 true and correct. Executed in San Francisco, California, on October 31, 2008.

25 /s/ Thomas R. Burke  
26  
27 Thomas R. Burke  
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